

Applicant: Roger Dahl  
Serial No. 10/082,967  
Page 6

## REMARKS

Claims 9-10 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Through the above amendments, Applicants respectfully assert that this rejection as well as the claim objection have been obviated.

Claims 1-29 stand rejected under 35 USC § 102(b) as being anticipated by Min et al. (U.S. Patent No. 5,690,686). Claims 5-6, 9-10, 15-16 and 19-20 are rejected under 35 USC §103(a) as being unpatentable over Kroll (U.S. Patent No. 6,456,876) in view of Min et al., (U.S. Patent No. 5,690,686). Applicant respectfully traverses these rejections.

The claims as amended more clearly indicate that a defibrillation shock is directed across the atrium from a high atrial position, such as proximate the superior vena cava (SVC) to the oblique vein. This particular pathway provides for an effective defibrillation of the atria.

None of the references teach or suggest placing a defibrillation lead in the oblique vein. The Examiner appears to generalize the coronary sinus with the oblique vein. These are not synonymous anatomical structures. The oblique vein, along with the other cardiac veins drain into the coronary sinus. There is a rudimentary valve at the bifurcation of the oblique vein and the coronary sinus making access and navigation particularly difficult. The references of record introduce a lead through the coronary sinus and into the great vein or great cardiac vein; not the oblique vein.

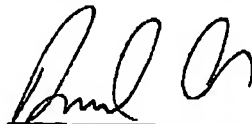
As stated, this location is extremely difficult to access, requires navigable leads consistent with the present teachings, and provides for a unique and beneficial atrial defibrillation therapy. As such, the references of record fail to anticipate the pending claims nor render them obvious in combination. Applicant respectfully asserts that the claims are in condition for allowance and requests notice of the same.

Applicant: Roger Dahl  
Serial No. 10/082,967  
Page 7

**CONCLUSION**

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

Respectfully submitted,



Date: 12/15/04

Daniel G. Chapl  
Reg. 43,424  
Telephone: (763) 514-3066  
Customer No. 27581